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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

2016 JUN -2 A 10:40

U.S. DISTRICT COURT

N.D. OF ALABAMA

NOTICE TO FILING PARTY

It is your responsibility to
notify the Plaintiff in writing
of any address changes.
Failure to do so may result in
dismissal
of your case
without further notice.

Inmate Identification Number: 194417

Daniel B. Clark

(Enter above the full name(s) of the plaintiff(s)
in this action)

vs.

Cody Price, Clinton Johnson, Nathaniel Johnson,
Jeremy Price, Valerie Peoples, James Sampson

CV-16-BE-0919-S

(Enter above full name(s) of the defendant(s)
in this action)

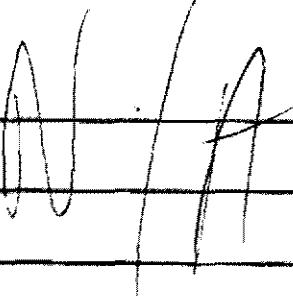
I. Previous lawsuits

A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?
Yes () No (✓)

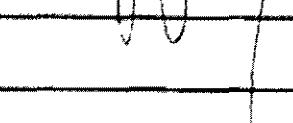
B. If your answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s):



Defendant(s):



2. Court (if Federal Court, name the district; if State Court, name the county)

3. Docket number _____

4. Name of judge to whom case was assigned _____

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

6. Approximate date of filing lawsuit _____

7. Approximate date of disposition _____

II. Place of present confinement

Draper C.F. P.O. Box 1107 Elmira, NY 14902-5

A. Is there a prisoner grievance procedure in this institution?
 Yes No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
 Yes No

C. If your answer is YES:

1. What steps did you take? I wrote the Captains as well as reported to Mental Health (staff member of Limestone C.F.) Ms. Jackson

2. What was the result? No reply

D. If your answer is NO, explain why not?

III. Parties

In item (A) below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) Daniel B. Clark

Address Dropier C.F. P.O. Box 1107 Elmore, AL 36025

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant Cody Price

is employed as Sargent

at Decatur Work Release/Wrk. center 1401 Hwy 20 west Decatur, AL 35601

C. Additional Defendants Sgt. Clinton Johnson, C.O. Nathaniel Johnson,
Correctional Officer (C.O.) Jeremy Rice, (all of Decatur Work Release)
Work center) Nurse Valerie Peoples, Nurse James Sampson
(Corizon Health Care Inc. of Decatur Work Release/Wrk. center)
1401 Hwy 20 west Decatur, AL 35601

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

On 4-13-16 around 7:30 p.m./8:00 p.m. I was placed in handcuffs by Sgt. Cody Price. He was accompanied by Sgt. Clinton Johnson, C.O.'s Nathaniel Johnson and Jeremy Rice. I was taken to the Health Care unit and I was assaulted by Sgt. Cody Price, Sgt. Clinton Johnson and

Nathaniel Johnson for no reason while I was in handcuffs behind my back. Sgt. Cody Price attempted to murder me by choking/squeezing my Adam's apple/windpipe with his hands, as he stated "Bitch I will kill you!" and "Bitch this is how you choke a motherfucker!" Nurse James Sampson, Nurse Valerie Peoples and Corrections Officer Jeremy Price all witnessed and report this incident, to officials at Decatur Work Release.

v.

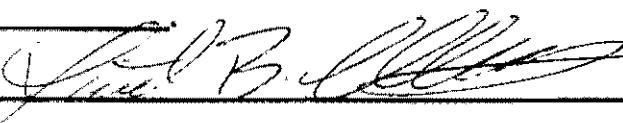
RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like all assaulting parties to lose their jobs and not work for A.D.O.C. in any form. I would also like to obtain the full liability amount that A.D.O.C. carries in insurance amount payable in case of lawsuits financially for each individual that assaulted/attempted to murder me, as well as a financial amount for mental health treatment and ~~penal~~ and suffering I obtained but treated harshly by them.

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-25-16



Signature(s)

District of Alabama

CV-16-SE-0919-S

FILED

Daniel B. Clark #19-1417
Plaintiff,
v.
Cpl. Price, Sgt. et al.
Defendants

2016 JUN -2 A.M. 633

CASE NO.: U.S. DISTRICT COURT
N.D. OF ALABAMAAFFIDAVIT OF DANIEL B. CLARK

I, Daniel B. Clark, first being duly sworn deposes on oath that I am over the age of (21) twenty-one, and competent to testify to the facts stated herein. That on 4-13-16, around 7:30 p.m./8:00 p.m. I was placed in handcuffs in J-dorm dorm-way at Decatur Work Center, by Sgt. Cody Price, (he was accompanied by (3) three other D.O.C. Officers, Sgt. Clinton Johnson, C.O. Nathaniel Johnson and C.O. Jeremy Rice). They escorted me out of the dorm, and were headed to the Shift Office. Sgt. Cody Price called on the radio to Lt. Robert Copeland, "I will take Clark to the Health Care and get him a body chart first!" C.O. N. Johnson asked me where did I sleep? I stated I would not talk until I was in the Shift Office in front of Lt. Copeland. Sgt. Price then said, "Now you want to be a smart ass to my Officer?!" I would not reply. We entered the HCU and I sat down in the chair Sgt. Price pointed to. At the time I had on a single pair of handcuffs, with both my hands behind my back. Nurse Valerie Peoples asked me my name for the information on the body chart, but I had already committed to remain quiet until I got in the shift office, so I reached in my back pocket for my inmate I.D. card. Yet, the handcuffs made it hard to extend. My I.D. fell to the floor. Someone picked it up and gave it to her. I then fixed my eyes on the wall in front of me. Officer N. Johnson then walked around in my view and said,

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of Alabama

Affidavit of Daniel B. Clark 194417

(Continues)

"Stop looking at me! Stop reckless eyeballing me! Look at the floor!" I replied, "There is no such rule in the AR 403 stating reckless eyeballing. Then you walked in front of me." He repeated, "Look at the floor!" I asked him what was going on with him? Sgt. Price then stepped in front of me and said, "Stop smarting off at my officer!" He then put his right hand on my shoulder and (his fingers were on my shoulder, his thumb was pressing against my wind pipe), he began to slowly press his thumb in my wind pipe choking me. I tried to roll my head and neck out of this position and I called at Lt. Nurse V. Peoples and Nurse Jones Sampson that "Sgt. Price is trying to choke me!" He continued and I saw Sgt. Clinton Johnson pull upon the side of me. By this time my wind was running short and I blacked out. I fell sideways out of the chair. Sgt. Price and Sgt. Johnson then threw me forward on the floor. Sgt. Price yelled out "Bitch you think you taught! Bitch, I'll Kill you!" He then took his fingers and began to try and squeeze my Adams apple together, choking me and yelled, "Bitch I'll Kill you! This is how you choke a motherfucker!" He then began to push my head in the floor and Sgt. Johnson and C.O. Johnson jumped on top of me and began to put their knees in my thighs and back and twisting my arms. Then I began to pray at last and Sgt. Price called Lt. (captain) to bring the shackles. I began to ask the Nurses for help and did they see this, and I asked C.O. Price did he see this, and Sgt. Price stated "No body is going to believe your punk ass! No body is going to believe anything you say!" He then pushed every person in the

of Alabama

Affidavit of Daniel B. Clark (continues)

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had they witnessed any of this. At the time they said nothing. Lt. Copeland came with the shackles and they put them on me and a pair of belly chains and an extra pair of handcuffs. Lt. Copeland took everyone out of the room one at a time and questioned them. They then came back in and Nurse V. Peoples completed the body chart and Nurse J. Sampson stated he would give me some pain medicine for what I just went through. Then I was escorted to the lock up unit/processing room. I told Lt. Copeland what happened and he told me I was lying, until C.O. J. Price came in and told him "Yes they did do and say all that!" Nurse V. Peoples and Nurse J. Sampson said they did all that to me and said "Bitch I will kill you," and that Sgt. Price was wrong, none of that was called for, and C.O. Price stated, "I kept telling them to calm down. None of that should have happened. I don't care who gets mad at me, they shouldn't have done it, they shouldn't have jumped him like that. I'm gone tell the truth!"

State of Alabama

County of Elmore

Sworn to and subscribed before

me hand on this 27th day of May 2016



Affiant



Notary Public

My Commission Expires 10/23/2017

My Commission expires: _____